

IV. REMARKS

1. Claims 1-14 are amended. Claims 1-14 are pending in this Application. The amendments to claims 2, 4-8 and 10-13 are non-limiting amendments and are not being made for patentability reasons.
2. The drawings are amended to overcome the objection. Replacement drawing sheets are being submitted herewith.
3. Claim 3 is amended to overcome the rejection under 35 U.S.C. 112, second paragraph.
4. Claims 1-14 are patentable under 35 U.S.C. 103(a) over Kawan, U.S. Patent No. 6,442,532 in view of Ferreira, U.S. Patent No. 6,115,601. Claim 1 recites in part, defining a loading condition for loading money to the money depositing means and wirelessly transmitting an inquiry message at intervals by the money loading means. The combination of Kawan and Ferreira does not disclose or suggest these features.

Kawan discloses a financial information and transaction system that utilizes wireless communication in connection with portable terminals. In Kawan the terminal is connected to a financial institution via a wireless or cellular telephone hook-up. Smart cards are utilized to provide security in that they verify authorization for transactions. The smart card of Kawan may also maintain a secure record of available funds. (Abstract). There is simply no disclosure or suggestion in Kawan of "wirelessly transmitting an inquiry message at intervals by the money loading means" as recited by Applicant.

Furthermore, nowhere does Kawan disclose or suggest "defining a loading condition". The Examiner suggests that column 5, lines

13-33 discloses "defining a loading condition". The Examiner refers to the exchange of encoded information in the passage at column 5, lines 13-33. However, column 5, lines 13-33 merely disclose that "the user may determine the user's current account balance and/or requests that value be added to the card" and that "the terminal exchanges encoded information by wireless transmission with a financial network". There is simply no disclosure or suggestion of "defining a loading condition for loading money to the money depositing means" as recited in claim 1.

Ferreira when combined with Kawan fails to remedy the deficiencies of Kawan. Ferreira discloses a mobile communication system where communication credits are stored in a secure module of a mobile communication appliance. Credits are reloaded over-the-air from a reload server. For requesting a reload, the secure module generates an authenticated reload request message, which is transmitted to the reload server. In response to receiving the reload request message, the reload server informs the secure module of how many credits have been granted in the form of an authenticated reload grant message. A received authenticated message is only accepted if a transaction number in the message matches a local transaction number. (Abstract).

Ferreira simply does not disclose or suggest "wirelessly transmitting an inquiry message at intervals by the money loading means". Furthermore, Ferreira does not disclose or suggest "defining a loading condition for loading money to the money depositing means". Ferreira merely discloses that the initiative for reloading may be taken by a user (40) of the system or automatically by the communication appliance when the balance has dropped below a predetermined threshold (Col. 5, L. 48-52). This

is not the same as "defining a loading condition for loading money to the money depositing means" as claimed by Applicant. The communication credits of Ferreira are only useable for paying services of the communication network as opposed to electronic money having true cash value that may be expended anywhere.

For example, in one embodiment in Applicant's invention, the user carries a mobile terminal comprising a smart card having an electronic cash application. When the user passes by an ATM that has sent out an inquiry message and which can wirelessly communicate with the smart card, via the mobile terminal, the smart card responds to the inquiry message and checks whether a condition for loading electronic cash to the smart card is fulfilled or not. If the condition is fulfilled, the smart card begins the transaction with the ATM for loading electronic cash. Nothing of the sort is disclosed or suggested by the combination of Kawan and Ferreira.

Therefore, claim 1 is patentable over the combination of Kawan and Ferreira because their combination fails to disclose or suggest "wirelessly transmitting an inquiry message at intervals by the money loading means" and "defining a loading condition for loading money to the money depositing means". Claims 9 and 14 are patentable over the combination of Kawan and Ferreira for reasons similar to those described above with respect to claim 1. Claims 2-8 and 10-13 are patentable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should

any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$120 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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